

March 23, 2021
9200 Basil Court
Largo, MD 20774
Virtual Hearing

Present:

Daphne Turpin-Forbes, Board Chair
Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Terence Sheppard, Director
Jason DeLoach, Esquire, Counsel
Robert Clark, Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Patricia Bell, Administrative Manager
Leonard Vauss, Administrative Assistant
Katrice James, Administrative Aide
Jamie Schaefer, Administrative Aide

Start Time: 10:04 a.m.

Commissioner Forbes: This is an open meeting for the Prince George's County Board of License Commissioners. To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone's voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful and honest during the entire proceeding.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff for the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

1. Substitution of Corporate Officers application, **t/a Laurel Food Mart**, Class D, Beer and Wine and Liquor, 9107 Marshall Avenue, Laurel, 20707, Jae Kwon, to serve as President/Secretary/Treasurer in the place instead of Charles J. Ryan, III, President/Secretary/Treasurer. **Robert Kim, Esquire** is representing. I have a request to amend the application due to my typographical error. Mr. Kwon will become 100% shareholder. **Mr. Jae Kwon** is sworn in.

Mr. Kim: Jae, are you a citizen of the United States? (**Mr. Kwon-** Yes.) Have you ever been convicted of a felony? (**Mr. Kwon-** No.) Have you ever been found in violation of any laws pertaining to the sale of alcoholic beverages, as well as any gambling laws or any laws of the United States? (**Mr. Kwon-** No.) Have you ever had a license for the sale of Alcoholic beverages revoked? (**Mr. Kwon-** No.) Have you ever had a Liquor License before? (**Mr. Kwon-** No.) You have been a 75% shareholder, member, and manager of Laurel Food Mart, correct? (**Mr. Kwon-**Yes.) And you will now become 100% Stockholder, President, Secretary, Treasurer, and sole licensee? (**Mr. Kwon-**Yes.) Mr. Ryan passed away in December of 2020? (**Mr. Kwon-**Yes.) For the record, Madam Chair, we did submit the Death of a Licensee form that was approved by the Board.

Ms. Forbes: Yes, sir.

Mr. Kim: Jae, do you own any other business in Prince George's County with an Alcoholic Beverage License? (**Mr. Kwon-** No.) And once again, you will be 100% Stockholder, President, Secretary, Treasurer of JoJo Food, Inc.? (**Mr. Kwon-**Yes.) How much time do you spend at Laurel Food Mart? (**Mr. Kwon-** 60 hours per week.) Do you have a copy of the Rules and Regulations for the Board of License Commissioners of Prince George's County? (**Mr. Kwon-** Yes.) And you are familiar with the Rules and Regulations? (**Mr. Kwon-** Yes.) If this application is approved, will you be sure that all the employees will comply with the Rules and Regulations? (**Mr. Kwon-** Yes.) Have you received Alcohol Awareness Training? (**Mr. Kwon-** Yes.)

Mr. Kwon provides his knowledge of the ages to sell and serve alcoholic beverages in the state of Maryland, as well as the 6 acceptable forms of I.D. to purchase alcoholic beverages.

Mr. Kim: Have any changes been made to the application since it was submitted? (**Mr. Kwon-** No.) Since you will become sole licensee, you understand that you also have sole responsibility over the business? (**Mr. Kwon-**Yes.)

Ms. Forbes: I see on your application you used to work for a business called 'Best One', what position did you have there?

Mr. Kwon: I was Manager.

Commissioner Camacho makes a motion to approve the SCO for t/a Laurel Food Mart, seconded by **Commissioner Norman**. After Board vote, the motion carries.

2. Jayashriben Patel, President, for a Class A, Beer, Wine and Liquor for the use of Nilkanth Varni, Inc., t/a **Village Pump Liquors**, 4901 Greenbelt Road, College Park, 20740, transfer from SRJR Enterprises, Inc., t/a Village Pump Liquors, William A, Giddings, Jr., President/Secretary. **Steven Fogelman, Esquire** is representing. **Ms. Jayashriben Patel** is sworn in.

Mr. Fogelman: This is my first matter with the BOLC and I have been very pleased with the staff and our interactions. Of my knowledge and experience in Zoom Hearings, this one is going fantastically so far. Ms. Patel is 40 years old and present today virtually from the other room.

Ms. Patel is sworn in.

Mr. Fogelman: Village Pump Liquors has been around since about 1987. As far as I know, it has stayed out of trouble and has been very well managed. Ms. Patel is acutely aware of the business's proximity to the largest undergraduate student population in the state of Maryland. Ms. Patel, you are the 100% owner of the corporation in this matter, correct? (**Ms. Patel-Yes.**) Have you ever been convicted of a felony? (**Ms. Patel-No.**) Have you ever been found in violation of any Alcoholic Beverage laws regarding the sale, use and control of alcoholic beverages? (**Ms. Patel-No.**) Have you ever been found in violation of any laws, rules or regulations, state or federal? (**Ms. Patel-No.**) Have you ever held a license for the sale of alcoholic beverages? (**Ms. Patel-No.**) Have you ever been employed at an establishment that serves alcoholic beverages? (**Ms. Patel-No.**) Are you bringing over any new employees that have worked for establishments that sell alcoholic beverages? (**Ms. Patel-Yes, I have two employees who used to work for Greenbelt liquor stores and have experience with the sale of liquor.**) Have you taken your Alcohol Awareness Course? (**Ms. Patel-Yes.**) Have your employees taken their Alcohol Awareness Course? (**Ms. Patel- Yes, I have all our certifications.**) And you trust these employees? (**Ms. Patel-Yes.**) Are you financially interested in any other business with an Alcoholic Beverages License? (**Ms. Patel-No.**) Do you have a copy of the Rules and Regulations of the Board of License Commissioners of Prince George's County? (**Ms. Patel-Yes.**) Do you know the Rules and Regulations? (**Ms. Patel-Yes.**) Are you going to conform to all the laws, rules and regulations of this Board? (**Ms. Patel-Yes.**) Will you make it a point to train your employees under the rules and regulations of this Board? (**Ms. Patel-Yes.**) Ms. Patel, this is an ongoing business that has been open for well over 30-years. Are you going to retain some of the staff currently employed by this business? (**Ms. Patel-Yes, I will retain the same staff and bring on my 2 managers.**) Your experience is in retail food, correct? (**Ms. Patel- Yes, I have managed Subway stores.**) How have you dealt with unruly customers in the past; or, more recently, customers who are not in compliance with Covid-19 social-distancing and safety protocols?

Ms. Patel: We tell them to wear their masks and stay at a 6-foot distance from others. If there is no mask, there is no service.

Mr. Fogelman: And regarding the sale of alcoholic beverages?

Ms. Patel: If they appear under 35 years of age, I always ask for the I.D. If there is no I.D., no service.

Mr. Fogelman: If someone were to come in and say, "I left it at my apartment, but you know me, I'm here all the time..." and so forth? Will you sell to them?

Ms. Patel: I would say, "I'm sorry, I have to see your I.D."

Mr. Fogelman: You have explained to the 2 managers that you are bringing on, that this is going to be different from Subway? (**Ms. Patel-Yes.**) You have explained to them that if they do sell to an underage person, that you could lose your entire business? (**Ms. Patel-Yes.**) And you think they understand the importance? (**Ms. Patel-Yes, they understand. We are team members.**) Speaking of team, how often will you be there? (**Ms. Patel- 6 days, 50 hours per week.**) So, you will be there every day that the store is open? (**Ms. Patel-Yes, 9 A.M.-6 P.M., as scheduled.**)

Ms. Patel lists 5 of the 6 acceptable forms of identification for the sale of alcoholic beverages.

A break is allowed and it is suggested by the Board Chair that we move on to the next case. The next applicants and representation are not present, so a 10-minute break is allotted to Ms. Patel and Mr. Fogelman.

Ms. Patel proves her knowledge of the proper ages to serve and sell alcoholic beverages in the state of Maryland. After a brief 10-minute break, **Ms. Patel** listed all 6 forms of acceptable I.D. for the purchase of alcoholic beverages.

Mr. Fogelman: Though you do not have experience in the retail sales of alcoholic beverages, you have retail management experience, correct? (**Ms. Patel-Yes.**)

Mr. Fogelman: Ms. Patel, what is the policy at Subway when someone is breaking the law?

Ms. Patel: We give them a verbal warning, then we inform them to leave the business. If they still do not listen, we call 911 to have them removed from the premises.

Mr. Fogelman: Will you uphold the same policy with Village Pump Liquors? (**Ms. Patel-Yes, we have no problem bringing in the police.**)

Ms. Forbes: Ms. Patel, are you familiar with the Rules and Regulations of this Board? (**Ms. Patel-Yes.**) Do you agree to abide by these Rules and Regulations? (**Ms. Patel-Yes.**) Do you agree that the establishment is to be following those same Rules and Regulations? (**Ms. Patel-Yes.**) Are you aware that if any alterations are made to your business, that you must first get the Board's approval? (**Ms. Patel-Yes.**) Are you aware that this Board will hold you accountable as licensee for any violations, should one occur? (**Ms. Patel- Yes.**)

Ms. Patel confirms her knowledge of the legal ages to serve and sell alcoholic beverages once more.

Commissioner Camacho makes a motion to approve the transfer of the Class A license for t/a Village Pump Liquors, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

3. Rhonda Hall, Managing Member, for a Class D, Beer and Wine for the use of Ladies 1st Cigars, LLC, t/a **Ladies 1st Cigars**, 6402 Coventry Way, Clinton, 20735. **Traci Scudder, Esquire** is representing. **Rhonda Hall** is sworn in. **Commissioner Camacho** takes Board Chair Forbes' position due to technical difficulties.

Ms. Scudder: Ms. Hall, are you a United States citizen? (**Ms. Hall-Yes.**) Have you ever been convicted of a felony? (**Ms. Hall-No.**) Have you ever been convicted of any crime related to the sale of Alcoholic Beverages? (**Ms. Hall- No.**) Are you the only applicant? (**Ms. Hall-Yes.**) Are you the owner of Ladies 1st Cigars? (Ms. Hall- Yes.) Has Ladies 1st Cigars ever held a Liquor License? (Ms. Hall- No.) Have you ever owned any other business with a Liquor License? (Ms. Hall- No.) Do you currently own any other lounges? (**Ms. Hall- No.**) Where is Ladies 1st Cigars located?

Ms. Hall: Ladies 1st Cigars is located at 6402 Coventry Way, Clinton, Maryland 20735, located inside the Coventry Plaza Shopping Center. If you are familiar with that area, it's close by Levi's Restaurant. I'm directly across from them.

Ms. Scudder: Do you plan on managing this establishment yourself? Will this be your fulltime job?

Ms. Hall: Right now, I currently wear a few hats. I'm involved in a couple of organizations with some friends; I've been helping them out and volunteering. Once

Ladies 1st is fully open and operating, I plan to make that my fulltime job, managing and operating the business.

Ms. Scudder: So, when you begin operating on a fulltime basis, what is your role at the lounge going to be? (**Ms. Hall-** I will be manager.) Are you familiar with the rules and regulations concerning the sale of alcoholic beverages in Prince George's County? (**Ms. Hall-** Yes, I have visited the Board's website several times going over the rules and regulations handbook. I know the importance and responsibility that comes with holding a liquor license. I believe that all the rules are important, but I will be focusing mostly on Rule No. 1- Sales to a minor, Rule No. 2- the presence of a minor on the licensed premises, as well as Rule No. 5- serving an overly intoxicated or disorderly person.) If you are approved, will you follow all these Rules and Regulations? (**Ms. Hall-** Yes.) Do you realize that you will personally be held responsible for any violations of the Rules and Regulations? (**Ms. Hall-** Yes, I take on that responsibility and understand the effects of not adhering to these rules.) Are you of Legal drinking age? (**Ms. Hall-** Yes.)

Ms. Hall proves her knowledge of the ages to serve and sell alcoholic beverages in the state of Maryland, as well as, the 6 acceptable forms of I.D. to purchase alcoholic beverages.

Ms. Scudder: Can you describe your lounge?

Ms. Hall: When you walk through the front door, you are in the retail portion of my lounge. This is where my humidor is set up for cigar sales and all cigar accessories. Once you go through the door across the room, you are in the lounge portion of the establishment. It is not complete currently, but I plan to have sofas, high top tables and chairs, along with low top tables and chairs. I have 2 bathrooms that are handicap accessible and a bar for serving the beverages with a kitchen behind it.

Ms. Scudder: When did you start occupying this space?

Ms. Hall: The lease commenced in September, September of 2020.

Ms. Scudder: Since your lease started in September, have you made any changes, alterations or renovations to the property? (**Ms. Hall-** No, I have not.) You submitted floorplans of your business with your application, is that correct? (**Ms. Hall-** Yes.) Do the floorplans in the record still reflect what you have today? (**Ms. Hall-** Yes.) Do you understand that if you make any changes to the layout of the grounds, you will need to notify the Board? (**Ms. Hall-** Yes.) Could you please describe in detail the type of lounge you operate and what you believe makes it a special place?

Ms. Hall: I'm looking to provide a safe, comfortable, relaxing environment for business individuals to ease their mind after a long, busy day. My focus is to offer limited foods, soft entertainment (and by "soft" I mean music playing over our sound system), as well as Beer and Wine. I believe that Ladies 1st Cigars is special and unique because not many cigar lounges the County right now. I believe there is only one currently. As I go around and visit the lounges in our County as well as the surrounding area, I find that there is a lack of... a feminine touch. I know the cigar industry has always been dominated by men, but women are rising and ready to take on this adventure. I'm trying to offer more of a soft space. I want something comfortable, colors for the lounge, a fully stocked bathroom (keep feminine products stocked), and an inviting space for women as well.

Ms. Scudder: You said you will have a menu, is that correct?

Ms. Hall: I plan on offering finger foods like chicken wing, chicken tenders, fries, corn, different deserts, as well as prepackaged goods like chips and sodas.

Ms. Scudder: What are your Hours of Operation going to be? (**Ms. Hall-** 12 noon- 11 p.m. Monday through Wednesday, Thursday through Saturday, 12 noon -1 a.m.)

Ms. Scudder: There are a lot of new Covid-19 rules and procedures, are you familiar with them?

Ms. Hall: Yes, I have been following Covid-19 restrictions. I have a whole plan ready. I will provide gloves to those interested in the retail sale of cigars and hand sanitizers will be made available to patrons. I am also aware that indoor capacity is at 50% now, so I will adhere to that as well concerning social distancing.

Ms. Scudder: You do not intend to have any live entertainment, just surround sound music playing? (**Ms. Hall-** Yes, the live entertainment atmosphere is not in my vision. I would like something classier.) Have you completed Alcohol Awareness Training? (**Ms. Hall-** Yes.) Do you understand the importance of responsible alcohol service? (**Ms. Hall-** Yes, I can spot the red flags for intoxicated persons and preventing sales to minors.) Can you share anything about your background that you believe will serve you well in the cigar lounge industry?

Ms. Hall: Firstly, I have over 30 years of experience in customer service. Out of those 30 years, I was in a leader or supervisory role for 9 years. I have over 10 years of experience in being a bartender. With that knowledge and experience, I have lived it and owned it.

Ms. Scudder: So, you are familiar with the techniques of preventing over intoxication? (**Ms. Hall-** Yes.) How many employees will you have for the business? (**Ms. Hall-** I'm looking toward having 10 employees. Only 3 of them will be allowed to serve and sell alcohol; including myself, 4 people that can serve and sell.) Regarding seating, could you more specifically talk about the furniture? (**Ms. Hall-** I have some unique pieces in my lounge. I have 3 large sofas, 3 High top tables, 4-5 lower tables, offering high lean back chairs...etc.)

Ms. James (BOLC): Ms. Hall, could you provide me with your Hours of Operation again? They don't match the application in front of me and I'm trying to clarify.

Ms. Hall: With Covid-19 restrictions lifting, I changed the hours after the application was submitted.

Ms. Scudder: I can update the application and turn that in.

Ms. James: If you can, please email it to me. I'll attach it to the application.

Ms. Scudder: Is there outdoor seating available?

Ms. Hall: I had spoken with you previously about possibly doing a temporary outdoor permit. I have yet to receive permission from my landlords to set up a tent outside, simply based off Covid-19 restrictions. Once we get back to normal, I won't really need the outdoor portion.

Commissioner Camacho: When you say outdoor seating, is this in the mall?

Ms. Hall: It's in the shopping mall, but I'm located at the very end of the strip. Next to me is just open space. The landlord agreed that I would be able to set up a tent, if necessary.

Commissioner Camacho: The tent is accessible from outside or the inside?

Ms. Hall: The outside.

Commissioner Camacho: From outside? Not directly from the business? (**Ms. Hall-**that is correct.) You cannot do that.

Ms. Hall: I cannot? Thank you for letting me know.

Commissioner Camacho: You can sell on the premises only with this license. You may have an outdoor space adjacent to the establishment, leading to an enclosed (fenced) area.

Ms. Scudder: Ms. Hall, is there anything else about your background that you would like to add for the Board?

Ms. Hall: I am very knowledgeable and experienced with alcohol sales. I know to spot the signs of intoxicated people and disorderly people. I know how to be patient and take my time to assess the situations posed to me and I know how to cut people off if need be.

Director Sheppard: Ms. Scudder, are you aware of the Maryland Clean Indoor Air Act? (**Ms. Scudder-** I am.) I noticed that there is food on the menu for this Class D License; can we discuss this for a better understanding please when there is no food requirement for a Class D License?

Ms. Scudder: I think Ms. Hall was under the impression that she had to have food in order to have a liquor license. Having food really wasn't in her business model when she first retained me regarding Ladies 1st Cigars. So, this was something that she implemented in order to obtain the liquor license. She would like to have food, but if that is an issue for this license, we can remove that from the business model.

Director Sheppard: It's not an issue for this license, I just wanted her to understand that her business model has food on here; and when she attempts to go to the Health Department to get the food license, they are going to deny her because this is a Class D License and the Maryland Clean Indoor Air Act is going to prevent cigars and food in the same location.

Ms. Scudder: In terms of how these establishments are set up and for her business to become a cigar lounge, she must go through the "Special Exception" process. She must file an application with the Maryland National Park and Planning Commission; then that application must go through a review process before she will get approval to have the cigars. There are certain requirements that she is going to have to meet in order to bring in that smoking element. She will have to have proper ventilation and other regulations under DPIE. We have not gotten this far yet; however, she will not bring in the smoking right away. She is going to start off as a retail establishment, which is also why she included the food element, at least until she can introduce the smoking. Her business is a retail, cigar establishment. She will be selling cigars and cigar accessories, have a humidor where people can go in and pick out their cigars, then they can go on into the lounge area where they can sit down, be in a relaxed setting, and enjoy beer and wine. The food component can go if it needs to go and she will still be fine, because that was never part of her plan anyway. We only need the Special Exception permit, which could take several months to receive. So, up until that point, she will have food.

Ms. Hall: With this Act, does it prohibit patrons from bringing in their own food? I'm surrounded by so many different restaurants, could they potentially bring in their own food that way?

Commissioner Camacho: I don't see why not because you weren't required to serve food to begin with. If they bring in food and your policy is to allow them to do so, then that is your prerogative. Our concern is with the sale and service of alcohol. Have you submitted proof of Alcohol Awareness training to the Board? (**Ms. Hall-** No, I have not. I have my TIPS card right here now.) Okay, get that to the Board, please.

Ms. Hall confirms her knowledge of the 6 acceptable forms of I.D. to purchase alcoholic beverages once more.

Maps Presentation by Chief Clark: There are no churches within 500 feet of the establishment and no schools within 1,000 feet of the establishment. There are 7 establishments that sell liquor within a 1-mile radius of the business, one being a liquor store.

Commissioner Norman: There is a 6-month period in order to effectuate this license. Can you tell me your timeline for the effectuation of this license and if this is the right time?

Ms. Hall: I'm looking to open for the retail sales portion no later than mid-May.

Commissioner Norman makes a motion to grant the Class D (Beer & Wine) Liquor License to t/a Ladies 1st Cigars, seconded by **Commissioner Sparkman**. After Board vote, the motion carries.

Adjourned: 11:33 a.m.

Respectfully Submitted,

*Jamie Schaefer
Administrative Aide BOLC*